UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

LOCAL 702, INTERNATIONAL)	
BROTHERHOOD OF ELECTRICAL)	
WORKERS, AFL-CIO,)	CASE NO. 18-3322
Petitioners,)	
v.)	
NATIONAL LABOR RELATIONS)	
BOARD,)	
Respondent.)	

CONSOLIDATED COMMUNICATIONS' MOTION FOR LEAVE TO INTERVENE

Consolidated Communications, d/b/a Illinois Consolidated Telephone Company, ("CCI"), by and through Counsel, and Pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure and Circuit Rule 15 requests leave to intervene in this matter in opposition to Local 702, International Brotherhood of Electrical Workers, AFL- CIO's ("Local 702" or the "Union") Petition for review.

- 1. On October 2, 2018, the National Labor Relations Board ("NLRB") issued its Supplemental Decision and Order in *Consolidated Communications d/b/a Illinois Consolidated Telephone Company and Local 702, International Brotherhood of Electrical Workers*, 367 NLRB No. 7 (Exhibit A).
- 2. In its Supplemental Decision and Order, the NLRB found that the CCI did not violate the National Labor Relations Act (the "Act") when it discharged employee Patricia Hudson.
- 3. On October 29, 2018, Local 702 filed a Petition for Review of the Supplemental Decision and Order with the U.S. Court of Appeals for the Seventh Circuit in Case No. 18-3322.
- 4. As a successful charged party/respondent in the underlying NLRB proceedings, CCI is entitled to intervene in the Petition for Review filed in this Court by the Union as a matter

of right. *Auto Workers v. Scofield*, 382 U.S. 205, 208 (1965) ("We think that Congress intended to confer intervention rights upon the successful party to the Labor Board proceedings in the court in which the unsuccessful party challenges the Board's decision").

5. This Motion is accompanied by a Corporate Disclosure Statement required by Circuit Rule 26.1.

WHEREFORE, based on the foregoing facts and authorities Consolidated Communications, d/b/a Illinois Consolidated Telephone Company respectfully requests that the Court grant its Motion for Leave to Intervene.

Dated: November 26, 2018

Respectfully Submitted,

HUNTON ANDREWS KURTH LLP

/s/ Robert T. Dumbacher
Robert T. Dumbacher
600 Peachtree Street, NE
Bank of America Plaza, Suite 4100
Atlanta, GA 30308
Telephone: (404) 888-4000
Facsimile: (404) 888-4190
rdumbacher@huntonak.com

David C. Lonergan Amber M. Rogers 1445 Ross Avenue, Suite 3700 Dallas, Texas 75202 Telephone: (214) 979-3000 Facsimile: (214) 880-0011 dlonergan@huntonak.com arogers@huntonak.com

Counsel for Consolidated Communications

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 26, 2018, I caused the foregoing to be electronically filed with the Clerk of the Court using the NextGen system, which will send a Notice of Electronic Filing to counsel of record.

/s/Robert T. Dumbacher
Counsel for Consolidated Communications